

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION

CASE NO. 00-6027-CR-ZLOCH  
Magistrate Judge Seltzer

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UNITED STATES OF AMERICA,  
Plaintiff,

v.

JOHNNIE POWELL,  
Defendant.

**DEFENDANT'S UNOPPOSED MOTION FOR CONTINUANCE**

COMES NOW the defendant, Johnnie Powell, by and through his undersigned attorney, and files his Unopposed Motion For Continuance, and states as follows:

1. The above-styled matter is set for trial on the March 27, 2000, trial calendar with a calendar call set for Monday, March 27, 2000. This is the first trial setting in this case.
2. The defendant respectfully requests a continuance of the trial date for at least sixty days. The defendant is charged in a multi-count indictment with tax evasion. The discovery provided to date is relatively voluminous. Additional time is necessary to review the discovery. Additional time is necessary to complete the factual investigation. Additional time is needed to complete preparation for trial.
3. Further, the undersigned has several initial briefs due in the Eleventh Circuit within the next sixty days, including the initial brief in a voluminous bank fraud case which took over two months to try. Preparation and filing of these appellate briefs will render it impossible to prepare this case for trial on March 27, 2000.

  
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4. The undersigned has discussed this motion with the defendant, who is on bond, and he has agreed to the filing of the motion.

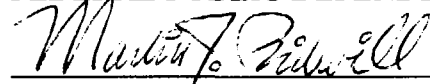
5. In addition, AUSA Robin Rosenbaum has advised that she has no objection to the Court granting the motion and continuing the case. AUSA Rosenbaum has asked the undersigned to advise the Court, in the event the Court grants the defendant's motion, that she is planning to be on annual leave out of the country from May 25, 2000, to June 5, 2000. AUSA Rosenbaum respectfully requests, and the undersigned joins her request, that the Court not set the matter for trial during that period.

WHEREFORE the defendant prays that the Court grant this motion and continue the trial of this cause for at least sixty days.

Respectfully submitted,

KATHLEEN M. WILLIAMS  
FEDERAL PUBLIC DEFENDER

By:



Martin J. Bidwill  
Assistant Federal Public Defender  
Attorney for Defendant  
Florida Bar No. 868795  
101 N.E. 3rd Avenue, Suite 202  
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(954) 356-7436 / 356-7556 (Fax)

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the aforementioned motion was mailed on this 9<sup>th</sup> day of March, 2000, to Robin Rosenbaum, Assistant United States Attorney, 500 East Broward Boulevard, Suite 700, Fort Lauderdale, Florida 33394.

  
Martin J. Bidwill